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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 IMPRIMIS INTERNATIONAL, INC., No. CIV.S-04-1297 FCD DAD

12 Plaintiff,

13 v. ORDER

14 ROBERT B. FRAIDENBURGH,

15 Defendant.
16 _____/

17 This matter came before the Court on August 19, 2005, for
18 hearing on plaintiff's motion for sanctions pursuant to Federal Rule
19 of Civil Procedure 37(d). Stephen Bamberger appeared on behalf of
20 plaintiff. Shawn M. Krogh appeared on behalf of defendant. Having
21 considered all written materials submitted in connection with the
22 motion, and after hearing oral argument, for the reasons set forth on
23 the record during the hearing on the motion, IT IS HEREBY ORDERED
24 that:

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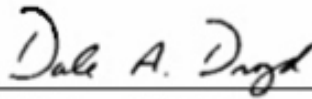
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1 1. Plaintiff's motion for sanctions is denied;

2 2. Defendant Robert Fraidenburgh shall make himself
3 available for deposition in Northern California at a time and
4 location to be agreed upon by the parties; and

5 3. The parties are directed to contact Maureen Price, the
6 courtroom deputy of the district judge assigned to this case, at
7 (916) 930-4163 to explore the possible modification of the pretrial
8 scheduling order in this action, which the undersigned finds to be
9 appropriate under the circumstances.

10 DATED: August 22, 2005.

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12 DALE A. DROZD
13 UNITED STATES MAGISTRATE JUDGE

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